

IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

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PATENT APPLICATION

2008 NOV 14 PM 4:50

Applicant: Jan W. HUISMAN

Atty. Doc. No.: Vertis-4/RCE(P47991US00)

Serial No.: 10/809,017 Filed: March 25, 2004

Group Art Unit: 1762 Confirmation No.: 7836

Examiner: Elena Tsoy

Title: METHOD FOR MANUFACTURING COATED PRODUCTS

Mail Stop 16
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

S I R:

REQUEST FOR REFUND OF
EXTENSION OF TIME FEE PREVIOUSLY PAID

In response to the Decision on Petition Under 37 CFR 1.137(b) Applicant requests a refund of \$ 1,020.00 which was previously paid in conjunction with the above-referenced application. A copy of the Decision is attached hereto. Please credit the above refund to the Deposit Account of the undersigned, No. 13-3083.

Respectfully submitted,



Peter L. Michaelson, Attorney
Reg. No. 30,090
Customer No. 007265
(732) 542-7800

November 6, 2008

MICHAELSON & ASSOCIATES
Counselors at Law
P. O. Box 8489
Red Bank, New Jersey 07701-8489

CERTIFICATE OF MAILING under 37 C.F.R. 1.8(a)

I hereby certify that this correspondence is being deposited on November 7, 2008 with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Mail Stop 16, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Peter L Michaelson
Signature

30,090
Reg. No.

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UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
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RED BANK, NJ 07701-8489

In re Application of
HUISMAN, Jan W.
Application No. 10/809,017
Filed: March 25, 2004
Attorney Docket No. VERTIS-4/CON/RCE

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OFFICE OF PETITIONS

DECISION ON PETITION
UNDER 37 CFR 1.137(b)

This is a decision on the petition under the unintentional provisions of 37 CFR 1.137(b), filed July 11, 2007, to revive the above-identified application.

The petition is GRANTED.

The application became abandoned for failure to timely file a reply within the meaning of 37 CFR 1.13 to the final Office action of November 17, 2006. The proposed reply required for consideration of a petition to revive must be a Notice of Appeal (and appeal fee required by 37 CFR 41.20(b)(2), an amendment that *prima facie* places the application in condition for allowance, a Request for Continued Examination and submission (37 CFR 1.114), or the filing of a continuing application under 37 CFR 1.53(b). See MPEP 711.03(c)(ii)(A)(2). Accordingly, the date of abandonment of this application is February 17, 2007.

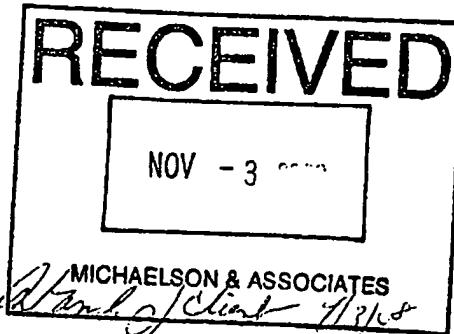
The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of a Request for Continued Examination (RCE) and fee of \$790, and the submission required by 37 CFR 1.114; (2) the petition fee of \$1500; and (3) an adequate statement of unintentional delay.

An extension of time under 37 CFR 1.136 must be filed prior to the expiration of the maximum extendable period for reply. See *In re Application of S.*, 8 USPQ2d 1630, 1631 (Comm'r Pats. 1988). Since the \$1020 extension of time fee submitted with the petition on July 11, 2007 was subsequent to the maximum extendable period for reply, petitioner may request a refund of this fee by writing to the following address: Mail Stop 16, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. A copy of this decision should accompany petitioner's request.

Telephone inquiries concerning this decision should be directed to Monica A. Graves at (571) 272-7253.

This application is being referred to Technology Center AU 1762 for processing of the RCE and for appropriate action by the Examiner in the normal course of business on the amendment submitted in accordance with 37 CFR 1.114.

Brian W. Brown
Petitions Examiner
Office of Petitions





IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

PATENT APPLICATION

Applicant: **Jan W. HUISMAN**

Atty. Doc. No.: **Vertis-4/RCE (P47991US00)**

Serial No.: **10/809,017**

Filed: **March 25, 2004**

Group Art Unit: **1762**

Confirmation No.: **7836**

Examiner: **Elena Tsoy**

Title: **METHOD FOR MANUFACTURING COATED PRODUCTS**

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

S I R:

**PETITION FOR EXTENSION OF TIME TO RESPOND
UNDER 37 C.F.R. 1.136(a)**

Applicant hereby respectfully petitions the Commissioner of Patents and Trademarks to extend the time to respond to the final Office Action (Paper No. 2006) dated **November 17, 2006** for a period of **three (3)** months from **February 17, 2007** to and including **May 17, 2007**.

Attached hereto is a Request for Continued Examination (RCE) Transmittal, Petition to Revive Unintentionally Abandoned Application and an Amendment, which constitute a complete response to the final office action, and our check payable to the Commissioner of Patents and Trademarks in the amount of **\$ 3,310.00** (\$1,020.00 to cover the cost of the extensions and \$790.00 to cover the

Repln. Ref: 11/20/2008 HDESTA1 0012534200
DAA:133083 Name/Number:10809017
FC: 9204 \$1020.00 CR

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